

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER
14875-170US1 CI-A0403P-US

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

10/594605

INTERNATIONAL APPLICATION NO.
PCT/JP2005/005787

INTERNATIONAL FILING DATE
March 28, 2005

PRIORITY DATE CLAIMED
March 29, 2004

TITLE OF INVENTION

Methods for Separating Hepatic, Endothelial, or Hematopoietic Progenitor Cells from Cell Populations

APPLICANT(S) FOR DO/EO/US

Haruo Sugiyama, Naoki Hosen and N.D. Hastie

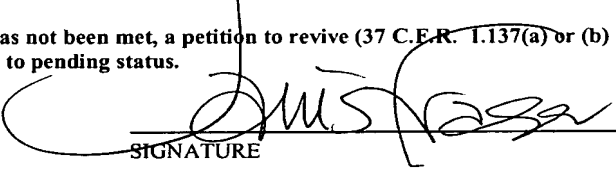
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 C.F.R. 1.76.
15. ☒ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
 Substitute Specification (marked-up version)
 Statement of Substitute Specification under 37 CFR § 1.125 (1 page)
 International Search Report (2 pages)

CERTIFICATE OF MAILING BY EXPRESS MAIL
 Express Mail Label No. EV 664073418 US
 Date of Deposit: September 28, 2006

| | | | | | |
|--|--------------|---|---------|---|--------|
| U.S. APPLICATION NO. 10/594605 (known, see 37 C.F.R. 1.5) | | INTERNATIONAL APPLICATION NO. PCT/JP2005/005787 | | ATTORNEY'S DOCKET NUMBER 14875-170US1 CI-A0403P-US | |
| The following fees have been submitted | | | | CALCULATIONS PTO USE ONLY | |
| 21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))\$300 | | | | \$300.00 | |
| 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0 All other situations\$200 | | | | \$200.00 | |
| 23. <input checked="" type="checkbox"/> Search fee If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority\$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB\$400 All other situations\$500 | | | | \$400.00 | |
| Total of 21, 22 and 23 = | | | | \$900.00 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| -100 = | /50= | | X \$250 | \$0.00 | |
| Surcharge of \$130 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 C.F.R. 1.492(h)). | | | | \$0.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total Claims | 8 - 20 = | 0 | x \$50 | \$0.00 | |
| Independent Claims | 2 - 3 = | 0 | x \$200 | \$0.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360 | \$0.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$900.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 C.F.R. 1.27. Fees above are reduced by 1/2. | | | | \$0.00 | |
| SUBTOTAL = | | | | \$900.00 | |
| Processing fee of \$130 for furnishing the English Translation later than 30 months from the earliest claimed priority date (37 C.F.R. 1.492(i)) | | | | \$0.00 | |
| TOTAL NATIONAL FEE = | | | | \$900.00 | |
| Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property | | | | \$0.00 | |
| TOTAL FEES ENCLOSED = | | | | \$900.00 | |
| | | | | Amount to be refunded: | \$0.00 |
| | | | | Amount to be charged: | \$0.00 |
| a. <input checked="" type="checkbox"/> A check in the amount of \$900.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 06-1050 in the amount of \$0.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1050. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 C.F.R. 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the International Application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | | |
| PTO Customer No: | | 26161 | |  SIGNATURE | |
| | | | | Janis K. Fraser, Ph.D., J.D. | |
| | | | | NAME | |
| | | | | 34,819 | |
| | | | | REGISTRATION NUMBER | |

10/594605

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AP5 Rec'd PCT/PTO 28 SEP 2006

Applicant : Haruo Sugiyama et al. Art Unit : Unknown
Serial No. : To Be Assigned Examiner : Unknown
Filed : Herewith
Title : METHODS FOR SEPARATING HEPATIC, ENDOTHELIAL, OR
HEMATOPOIETIC PROGENITOR CELLS FROM CELL POPULATIONS

MAIL STOP PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SUBSTITUTE SPECIFICATION UNDER 37 CFR § 1.125

Pursuant to 37 CFR § 1.125, Applicants submit a substitute specification encompassing changes being made to the original specification. The changes to the specification update the title, add a cross-reference to related applications, amend a section heading, and correct obvious errors in the original. No new matter is introduced by the attached substitute specification, and Applicants request its entry.

Also submitted herewith is a marked-up version showing the changes that have been made.

Respectfully submitted,

Date:

Sept. 28, 2006

Janis K. Fraser, Ph.D., J.D.
Reg. No. 34,819

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Boston, MA 02110
Telephone: (617) 542-5070
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